

Before the
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

In the Matter of:

Expedited Consideration for Declaratory Rulings)	
On the transfer of traffic only under AT&T)	
Tariff Section 2.1.8., and Related Issues.)	
)	
Primary Jurisdiction Referral)	
from the NJ District Court)	
)	CCB/CPD 96-20
)	DA – 06-2360
)	WC Docket No. 06-210
One Stop Financial, Inc)	
Group Discounts, Inc.)	
Winback & Conserve Program, Inc.)	
800 Discounts, Inc.)	
Petitioners)	
)	
and)	
AT&T Corp.)	
Respondent)	

ADDITIONAL COMMENTS IN FURTHER SUPPORT OF RECONSIDERATION OR
CLARIFICATION OF THE FCC's JAN. 12, 2007 ORDER

To FCC:
Marlene H. Dortch
Secretary
Federal Communications Commission
Office of the Secretary

Ms. Deena Shetler
Via ECFS and email:
Deena.Shetler@fcc.gov

Representing: One Stop Financial, Inc., Group Discounts, Inc., 800 Discounts, Inc.
and
Winback & Conserve Program, Inc

President

Its

Mr. Inga Pres.

Feb 15th 2007

Tom Umholtz

Thank you for confirming receipt of the email below. I'm sure my counsel will be hearing from Mr. Brown.

Please inform Mr. Brown that if it plans on simply stating to the FCC that AT&T opposes the reconsideration that is woefully inadequate. Petitioners would like to know specifically **what are the disputed facts** regarding the pre June 17th 1994 issue, the illegal application of shortfall charges in excess of the discount, and the discrimination claims.

AT&T's Dec 20th, 2006 and Jan. 31st 2007 comments to the FCC simply states there may be disputed facts; but AT&T specifically has provided the FCC with NO disputed facts. After discovery in 1995 AT&T also did not provide Judge Politan any disputed facts regarding the pre June 17th 1994 grandfather provision.

Judge Politan when addressing the pre June 17th 1994 grandfather issue, when I was testifying, told AT&T counsel Fred Whitmere: "Fred I know when your eyes are lying!" It was a nice way of Judge Politan telling AT&T counsel he was full of "it". AT&T requested a \$15 million injunction bond based upon the premise of shortfalls and Judge Politan laughed at AT&T Fred Whitmer. Probably due to being caught making gross misrepresentations to Judge Politan regarding AT&T's shortfall claims, and being embarrassed in court, Fred Whitmer then removed himself from the case.

AT&T raised no disputed facts in 1995 and has never raised any disputed facts since. It is a pure FCC interpretation regarding how many years a CSTPII plan holder is allowed to restructure under the old (pre June 17th 1994) rules. CCI was correct in noting that the FCC's staff person R.L. Smith, who overviewed all AT&T tariff changes, understood that the plans would remain grandfathered until their original revenue commitment ran out. Many AT&T managers stated the plans would always be immune from shortfall.

If there are any disputed facts AT&T needs to let the FCC know now. If AT&T provides no evidence of any disputed facts, the FCC should give heavy weight to this in petitioners request for reconsideration.

Please provide the FCC with **specific disputed facts**. Discovery in the District Court never produced any. Petitioners do not see any and AT&T has already informed the District Court that there weren't any.

Thank you,

Al Inga President

----- Original Message -----

From: UMHOLTZ, THOMAS, ATT-OPS

To: AL Inga

Sent: Thursday, February 15, 2007 7:26 AM

Subject: RE: Tom Umholtz: Is AT&T opposing Petitioner's reconsideration?

Mr. Inga - I have forwarded your request to Mr. Brown and Mr. Lafaro.

Tom

From: AL Inga [mailto:ajdmm@optonline.net]

Sent: Wednesday, February 14, 2007 10:19 AM

To: UMHOLTZ, THOMAS, ATT-OPS; Frank Arleo; Deena Shetler; lgsjr@usa.net; phillo@giantpackage.com

Subject: Tom Umholtz: Is AT&T opposing Petitioner's reconsideration?

Hi Tom

Last Thursday petitioners filed a request to reconsider and clarify the FCC's Jan. 12th 2007 Order. This was done in part due to the fact that the FCC issued its order prior to the issues being fully commented on.

AT&T's opposition to petitioner's reconsideration has been conspicuously absent. Tom please find out from AT&T's counsel whether AT&T will be opposing petitioners request for reconsideration. You can either get back to me or have AT&T counsel contact my counsel Mr. Arleo.

If AT&T will not be filing opposition, petitioners will inform the FCC that AT&T no longer opposes the FCC's adjudicating all of petitioner's declaratory Ruling requests.

By AT&T not opposing petitioners, the FCC can only go on the assumption that AT&T now agrees with what AT&T originally asserted to Judge Bassler in June of 2005; that the shortfall and discrimination issues are open issues with no disputed facts that are before the FCC and DC Circuit.

I am copying the FCC's Deena Shetler.

Thank you,

Al Inga Pres.

One Stop Financial, Inc.

Winback & Conserve Program, Inc.

Group Discounts, Inc.
800 Discounts, Inc.

These comments are in further support of reconsideration submitted by petitioners
Feb 15th 2007 by its president.

/s/ Al Inga
Al Inga